

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

IN RE: CAPITAL ONE CONSUMER
DATA SECURITY BREACH LITIGATION

MDL No. 1:19md2915 (AJT/JFA)

**DECLARATION OF STEWART HASKINS IN SUPPORT OF OPPOSITION TO
PLAINTIFFS' MOTION TO AMEND TO SUBSTITUTE
NAMED REPRESENTATIVE PLAINTIFF**

I, S. Stewart Haskins II, hereby declare as follows:

1. I am an attorney admitted to practice in the State of Georgia, and I am a partner with the law firm of King & Spalding LLP.

2. I have personal knowledge of the facts in this Declaration, and if called to do so, I could testify competently to the matters herein.

3. On or around September 1, 2020, Plaintiffs proposed to amend the Representative Complaint to substitute a new Representative Plaintiff from Texas to replace the first Representative Plaintiff from Texas, Zohaib Mohammed. On September 3, 2020 Plaintiffs provided counsel for Capital One with the name and proposed allegations regarding the proposed new Texas Representative Plaintiff, Whitney Palencia.

4. On or about September 4, 2020, counsel for Capital One advised Plaintiffs' Lead Counsel that it would not oppose the amendment of the Representative Complaint to add claims related to a new Texas Representative Plaintiff to replace the first Representative Plaintiff from Texas, Zohaib Mohammed.

5. Plaintiffs filed the Amended Representative Consumer Class Action Complaint [Dkt. 836], which included allegations regarding Representative Plaintiff Whitney Palencia, on September 7, 2020.

6. On September 21 and 28, 2020, counsel for Capital One emailed Lead Plaintiffs' Counsel requesting that Plaintiff Palencia respond to the written discovery requests propounded on other Representative Plaintiffs and provide dates for her deposition in late October 2020.

7. On or about September 30, 2020, Lead Plaintiffs' Counsel informed Capital One of Plaintiff Palencia's failure to respond to their attempts to contact her. Therefore, Lead Plaintiffs' Counsel indicated that they intended substitute another Representative Plaintiff from Texas to replace Plaintiff Palencia.

I declare under the penalty of perjury of the laws of the United States of America that the foregoing is true and correct.

Dated: October 16, 2020

/s/

S. Stewart Haskins II